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10/067,655	02/05/2002	Raymond Anthony Joao	RJ510	6956

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EXAMINER

PENG, FRED H

ART UNIT PAPER NUMBER

2633

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/067,655	<b>Applicant(s)</b> JOAO, RAYMOND ANTHONY	
	<b>Examiner</b> fred peng	<b>Art Unit</b> 2633	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02/05/2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 rejected under 35 U.S.C. 102(b) as being anticipated by Steingold et al (US 5,537,143).

Regarding claim 1, Steingold anticipates **an apparatus** for facilitating viewer interaction, comprising **a receiver** for receiving at least one of a broadcast of at least one of a program, an event, a game, and information, from a broadcasting system, and a transmission of information from a central processing computer; **a communication device** for facilitating communication between a viewer and at least one of a participant in, and an individual located at a venue of, the at least one of a program, an event, and a game; **an input device** for inputting at least one of viewer interactive information and viewer participation information; **a processor** for processing the at least one of viewer interactive information and viewer participation information; **a transmitter** for transmitting the at least one of viewer interactive information and viewer participation information to the central processing computer **By** "The Interactive Communication System method and apparatus disclosed and claimed solves the problem of enabling a broadcast recipient, for example, a television viewer, to participate in various broadcast program events transmitted by a broadcaster from a transmitting station, using his or her existing telephone. See Col 2 lines 36-41. In accordance with the present invention, a participant views a broadcast televised program event on a television receiver simultaneously with other participants. See Col 2 lines 50-53. Some of the other participants may be located at the site where the broadcast originates. See Col 2 lines 56-58 and Fig.5. The Interactive Communication System includes a computer system which is driven by a plurality of

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dual-tone multi-frequency (DTMF) receiver/microprocessor devices, one of which is accessed by the participant through a conventional telephone circuit. See Col 2 lines 59-63. The participant communicates with the computer system by means of a telephone having a DTMF keypad. See Col 3 lines 24-25. The participant is prompted by a broadcast display to take part in the televised program event. He or she takes part by entering responses into the computer system by pressing appropriate keys on the DTMF key pad of the telephone. See Col 3 lines 30-34. A "dedicated" microprocessor is associated with each one of the plurality of DTMF receivers. The microprocessor responds to the leading edge of the steering logic (StD) signal, accepts the digital character output of the associated DTMF receiver and stores it in a microprocessor memory. The digital character output is temporarily saved in a sequence in the microprocessor memory. In this manner, the keypad output activity of the participating viewer's telephone is continually monitored in real time and stored in the microprocessor memory. The participant enters a finish character on the DTMF keypad at the completion of a sequence of responses. Recognition of the finish character by a detector in the DTMF receiver/microprocessor device triggers the application of a time stamp to the memory sequence. See Col 3 lines 9-23. Criteria software (30) sorts and evaluates the responses according to criteria instructions (35). Judging software (32) selects a winner according to judging instructions (37). Winner(s) selection software (34) supplies winner identification for announcement by the transmitting station (38). See Abstract lines 20-25."

Regarding claim2, Steingold further anticipates the viewer participation in at least one of a program, an event, and a game, at least one of alone and in conjunction with another individual by FIG. 5 depicts an alternative embodiment of the invention in which a viewer 16 is prompted to compete 76 in a live televised broadcast 80 in which studio contestants 74 as well as other remote viewers participate. See Col 7 lines 56-59.

Regarding claim3, Steingold further anticipates the receiver receives information regarding at least one of a prize, winnings, and compensation, for the viewer's at least one of interaction with, and participation in, the at least one of a program, an event, and a game by It may also include offers of prizes to a viewer 16 who makes complete, accurate and timely responses as requested by the broadcaster 36.

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See Col 7 lines 45-47. FIG. 4 shows the viewer 16 receiving the broadcast announcement 70 of the winner. See Col 7 lines 40-41.

Regarding claim4, Steingold further anticipates from claim1 that the at least one of a program, an event, and a game, is at least one of a television program, a radio program, a program, an event, a game, a game show, a sporting event, a television show, a television game show, a radio game show, a movie, a marketing program, an infomercial, an advertisement, and a commercial by The televised program event 40 then may continue with other contest questions, a new game, or other activities. The televised program event 40 may include commercial messages offering incentives to purchase merchandise and services. See Col 7 lines 41-45.

Regarding claim5, Steingold further anticipates from claim1 that the apparatus is at least one of an interactive television, an interactive radio, a computer, a personal computer, a telephone, a wireless telephone, a personal digital assistant, a video telephone, a videophone, a television, a radio, a two-radio, a personal communication device, a wireless device, a handheld device, a palm-top device, and a watch by The present invention relates to a communication system, and, more particularly, to a system that Utilizes standard television or radio and telephone systems. See Col 1 lines 15-17.

Regarding claim6, Steingold further anticipates from claim1 that at least one of the participant and the individual is at least one of an actor, a host, a director, a newscaster, a broadcaster, an event performer, a performer, a game contestant, a game player, an athlete, a professional sports athlete, a professional sports player, an amateur sports athlete, and an amateur sports player by FIG. 5 depicts an alternative embodiment of the invention in which a viewer 16 is prompted to compete 76 in a live televised broadcast 80 in which studio contestants 74 as well as other remote viewers participate . See Col 7 lines 56-59.

Regarding claim7, Steingold further anticipates from claim1 that the venue is at least one of a studio, a set, a stage, a performance hall, a stadium, a arena, a playing field, and a playing court by same reasons as mentioned for claim6.

Regarding claim8, Steingold further anticipates from claim1 that viewer communicates with at least one of the participant and the individual by at least one of voice conversation, telephone

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conversation, videophone conversation, audio and video telephone conversation, Internet telephony conversation, speaking directly with an individual, text messaging, instant messaging, e-mail message, and facsimile messaging by The present invention relates to a communication system, and, more particularly, to a system that Utilizes standard television or radio and telephone systems. See Col 1 lines 15-17.

Regarding claim9, Steingold further anticipates from claim1 that the broadcasting system comprises at least one of a camera, a video recording device, a microphone, an audio recording device, and a transmitter by Fig. 5 showing the camera (item 78) and the broadcast transmitter (item 38).

Regarding claim10, Steingold anticipates an apparatus for facilitating viewer interaction, comprising: A receiver for receiving at least one of viewer interactive information and viewer participation information regarding at least one of an anticipated next play and an anticipated activity in at least one of a program, an event, and a game, wherein the at least one of viewer interactive information and viewer participation information is received from a user device associated with the viewer; a processor for processing the at least one of viewer interactive information\_and viewer participation information, wherein the processor compares the at least one of viewer interactive information and viewer participation information with at least one of a play, an activity, and an answer, which occurs in the at least one of a program, an event, and a game, and further wherein the processor compiles a score indicative of a viewer's or listener's ability to correctly anticipate at least one of a play, an activity, and an answer, in the at least one of a program, an event, and a game, and further wherein the processor determines at least one of a prize, winnings, and compensation, earned by the viewer, and further wherein the processor generates a report containing information regarding the viewer's score and at least one of a prize, winnings, and compensation, earned by the viewer; a transmitter for transmitting the report to the user device **By** FIG. 3 depicts the viewer 16 being prompted 54 to respond to questions posed by the televised program event 40. The viewer 16 does so by entering responses into the computer system 22 via keypad output 19. See Col 7 lines 15-18. Each character derived from the viewer's keypad output 19 is read out by the first DTMF receiver/microprocessor 24 as the digital character output 126. See Col 7 lines 21-23. Completed responses, represented by the digital character output 126 ending with a finish symbol (###),

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are placed in the main memory 28. These completed responses are sorted, along with completed responses from other viewers, by the criteria software 30, and passed to the judging software 32 which then determines the winner(s). A winner is recorded by the winner(s) selection software 34 which provides notification 64 to the broadcaster 36 of the winner(s). The broadcaster 36 then prepares an announcement of the winner(s) 66 for transmission from the television transmitter 38. The winner's identification is then broadcast 70. See Col 7 lines 29-40. Also reference Fig. 3 and Fig. 4.

Regarding claim11, Steingold further anticipates the at least one of a play, an activity, and an answer, is at least one of a play, an action, an activity, and an answer, in at least one of a game, a sporting event, a game show, and a contest by An alternative embodiment of a televised program event 40 presents an action sequence, such as a movie or play, which has one or more branches. See Col 15 lines 38-40.

Regarding claim12, Steingold further anticipates the at least one of a program, an event, and a game, is at least one of a television program, a radio program, a program, an event, a game, a game show, a sporting event, a television show, a television game show, a radio game show, a movie, a marketing program, an infomercial, an advertisement, and a commercial by The televised program event may include commercial messages offering incentives to purchase merchandise and services. It may also include offers of prizes to viewers who make complete, accurate and timely responses as requested by the broadcaster. The televised program event may include a game having as an objective, quickly and correctly identifying recognizable subject matter and information about the subject matter, such as a motion picture scene. See Col 4 lines 7-14.

Regarding claim13, Steingold further anticipates from claim11, the user device is at least one of an interactive television, an interactive radio, a computer, a personal computer, a telephone, a wireless telephone, a personal digital assistant, a video telephone, a videophone, a television, a radio, a two-radio, a personal communication device, a wireless device, a handheld device, a palm-top device, and a watch by The present invention relates to a communication system, and, more particularly, to a system that Utilizes standard television or radio and telephone systems. See Col 1 lines 15-17.

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Regarding claim 14, Steingold further anticipates the at least one of a program, an event, and a game, is broadcast to the user device by a broadcasting system by An Interactive Communication System which solves the problem of enabling a participant (16) to participate in a broadcast program event (40) by using a dual-tone multifrequency (DTMF) keypad (46) on an existing telephone (18) is disclosed. See Abstract lines 1-5.

Regarding claim 15, Steingold further anticipates the broadcasting system comprises at least one of a camera, a video recording device, a microphone, an audio recording device, and a transmitter by seeing Fig. 5 Item 78 (camera) and item 38 (Transmitter).

Regarding claim 16, Steingold further anticipates the processor processes information regarding multiple at least one of plays, activities, and answers by seeing Fig. 3 item 16 (viewer) entering information regarding plays showing on TV (item 12) to the receiver/microprocessor (item 24) for processing through the telephone systems.

Claims 17-20 also rejected under 35 U.S.C. 102(b) as being anticipated by Matthews (US 5,600,368).

Regarding claim 17, Matthews anticipates an apparatus for facilitating viewer comprising: A **receiver** for receiving at least one of viewer interactive information, wherein the viewer interactive information contains information regarding a viewer's selection of at least one of a viewing at least one of camera, video camera, television camera, and video recorder, a viewer's selection of at least one of a listening at least one of a microphone and audio recorder, and a viewer's request to view an instant reply, from a user device associated with the viewer; A **processor** for processing the viewer interactive information, wherein the processor generates a control signal in response to the viewer interactive information, wherein the control signal controls the selection of the at least one of a viewing at least one of camera, video camera, television camera, and video recorder, a listening of at least one of microphone and audio recorder, and a viewing of an instant replay; A **transmitter** for at least one of broadcasting at least one of a program, an event, a game, and a portion of the at least one of a program, an event, a game, from the viewer selected at least one of camera, video camera, television camera, video recorder, microphone, and audio recorder, and transmitting the viewer selected instant reply, to the user device **By**



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According to one aspect of this invention, an interactive television system is provided which permits viewer control of multiple camera viewpoints during a television broadcast. The television broadcast is filmed using multiple cameras situated at various camera viewpoints, such as at a sporting event where many different cameras are employed to capture the action from several angles. See Col 2 lines 2-6. The interactive television system includes a set-top box, which is adapted for use with a television, and a remote control handset that is remotely coupled to the set-top box. The set-top box is connected to receive the primary and virtual channels. The remote control handset has dedicated camera control buttons for selecting corresponding virtual channels to thereby permit the viewer to choose a desired camera viewpoint. Col 2 lines 15-22. The signals generated in the remote control handset are transmitted via conventional infrared or radio communication techniques (as indicated by jagged arrow 66) to a receiver 68 in set-top box 24. Decoder 70 deciphers the transmitted signal. See Col 5 lines 17-21. If the transmitted signal is a camera control signal, it is forwarded to virtual channel selector 74 which is connected to all of the channels coming from the cable company. In our continuing example, FIG. 4 shows virtual channels 120-127 which carry the video streams from the cameras at the baseball game. Virtual channel selector 74 switches among the virtual channels in response to the selected camera control buttons depressed by the viewer. See Col 5 lines 28-35. Also reference Figs. 4, 6 and 7.

Regarding claim 18, Matthews further anticipates at least one of a program, an event, and a game, is at least one of a television program, a radio program, a program, an event, a game, a game show, a sporting event, a television show, a television game show, a radio game show, a movie, a marketing program, an infomercial, an advertisement, and a commercial by FIG. 6 shows another aspect of interactive television system 20 according to this invention. Here, television 22 is shown displaying the selected virtual channel (i.e., an overhead view of the baseball game taken from the blimp camera 43. see Col 6 lines 30-34.

Regarding claim 19, Matthews further anticipates the user device is at least one of an interactive television, an interactive radio, a computer, a personal computer, a telephone, a wireless telephone, a personal digital assistant, a video telephone, a videophone, a television, a radio, a two-radio, a personal communication device, a wireless device, a handheld device, a palm-top device, and a watch by An

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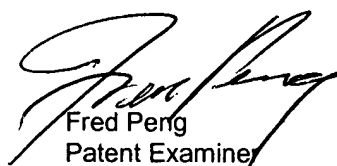
interactive television system has a set-top box adapted for use with a television and a remote control handset. See Abstract lines 1-2.

Regarding claim20, Matthews further anticipates the at least one of a program, an event, and a game, is broadcast to the user device from a broadcasting system, and further wherein the broadcasting system comprises at least one of a camera, a video recording device, a microphone, an audio recording device, and a transmitter by the set-top box is connected to receive a television broadcast that is filmed using multiple cameras situated at various camera viewpoints. The television broadcast has a primary channel, with which the viewer is familiar as carrying the desired television program, and multiple virtual channels associated with the primary channel. See Abstract lines 2-8.

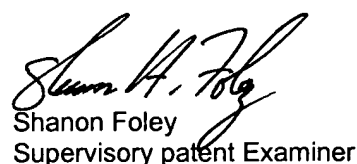
Any inquiry concerning this communication or earlier communications from the examiner should be directed to fred peng whose telephone number is (571)270-1147. The examiner can normally be reached on Monday-Friday 08:00-17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, shanon foley can be reached on (571)272-0898. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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